

of Mary Phagan, that the grave was the most sought by visitors to Marietta and should have a marker, along with several other notable graves in the cemetery.



Phillip Goldstein

Mayor Wilson told the Phagan family the city would let them approve the text of the marker. The family insisted the unusual conditions of Frank's 1986 pardon be explained. That was done. Now controversy has arisen because that portion of the marker has been changed.

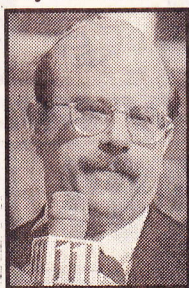
The Georgia Pardons and Parole Board in 1983 turned down a request for a pardon based on Frank's alleged innocence. Frank's former office boy, **Alonzo Mann**, told two *Nashville Tennessean* newsmen he saw black janitor **Jim Conley** holding a limp body in his arms the day of the murder. In its 1983 denial of a pardon for Frank, the board said after Mann's testimony it "did not find conclusive evidence proving beyond any doubt that Frank was innocent."

A new parole board then granted Frank a pardon in 1986 on the grounds the state did not protect him in prison, thereby allowing him to be lynched and thus ending any further court appeals. Frank's conviction was appealed unsuccessfully by his lawyers three times to the Georgia Supreme Court and twice to the U.S. Supreme Court.

The 1986 pardon said: "Without attempting to address the question of guilt or innocence, and in recognition of the state's failure to protect the person of Leo M. Frank and thereby preserve his opportunity for continued legal appeal of his conviction, and in recognition of the state's failure to bring his killers to justice, and as an effort to heal old wounds ... the board hereby grants to Leo M. Frank a pardon." The family opposed the 1986 pardon, and now is irked at the council and Goldstein.

"We are as much a victim as the family of Leo Frank," said Ms. Keen. For 80 years, we have been the object of the curiosity-seekers and subjected to unfair and untrue books and TV docudramas. The current council didn't show the same respect to us as did Mayor Wilson and a previous council." Ms. Keen's father, **James Phagan**, said the action was "extremely insensitive of the council" and "disingenuous of Councilman Goldstein. How can you separate Mary Phagan and Leo Frank?" he asked. "Can you mention the Holocaust and not mention Hitler? It's simply pandering by Councilman Goldstein to a segment of the community. It's another effort to change history."

The inscription change was made by the Parks and Tourism Committee chaired by Councilman **Dan Cox**. Members are Councilwoman **Betty Hunter** and Goldstein. The full council OK'd the action. Cox admitted the committee had yielded to "political pressure" by Goldstein and the Jewish community. Calling the change "a no-win situation," Cox said he reluctantly consented to the change "because it offended a part of the community."



Rabbi Lebow

On the 80th anniversary of Frank's lynching Aug. 17, a group of Jewish leaders led by Rabbi **Steven Lebow** of Temple Kol Emeth in east Cobb said the historic marker at Mary Phagan's grave should be removed. The group placed a small plaque in the side of the VPI Corp. building owned by **Roy Varner** at 1200 Roswell St., near the site of Frank's lynching. The plaque reads: "Wrongly Accused, Falsely Convicted and Wantonly Murdered." Attending the ceremony were Marietta Councilmen Goldstein and **James Dodd**, who told Jewish leaders they would look into removing the line of the marker that refers to the pardon conditions.

"This is a plaque that marks the grave of Mary Phagan," said Goldstein. "The last two lines deal with information on Leo Frank, and it's not his grave." Goldstein was quoted in the *Jewish Times* as saying: "The wording is factually correct. The mention of Frank on Phagan's marker should be deleted because it is irrelevant, not because it upsets the Jewish community."

It was Dodd who brought the matter before council, supported by Goldstein. "This is a lose-lose situation for me," Goldstein said. The marker referring to the condition of Frank's pardon has been removed and replaced with a previous marker the Phagan family had objected to.

today from 10 a.m. to 4 p.m. at the Marietta Pilgrimage: A Christmas Tour of Homes. ... Retired City of Marietta Parks and Recreation director **Ron Ransom** will give a carving demonstration Tuesday from 7 to 9 p.m. at the new Barnes and Noble bookstore at Town Center Mall. ... Roswell City Council last week voted to name the city trail system after Councilman **Don White** and also the new fire station the "Don White Fire Station." White, who died last month, retired from the City of Marietta in 1992 after being public works director for 30 years.

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If you think Southern League of Baseball President **Arnie Fielkow** is just about baseball, you should see him on the basketball court. *MDJ* Chief Photographer **Barry Shapiro** played some hoops with the former Continental Basketball Association exec Sunday at the Jewish Community Center in Atlanta, and Shapiro noted that Fielkow made just about every shot he took. ... Retired Smyrna Postmaster **Austin Atkins** celebrated his 85th birthday Wednesday night at a family party at the Georgian Club, then arose Thursday morning to undergo knee surgery at Promina Kennestone Hospital.

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His staff is being uncharacteristically closed-mouthed about it, but the speculation will not go away that House Speaker **Newt Gingrich** might be named "Man of the Year" by *Time* magazine. The East Cobb Republican was visited by a photographer for the magazine at his Washington office — but he was also photographed last year, when *Time* bestowed its annual honor on **Pope John Paul II**.

Time routinely gets photographs of six or eight national notables in an attempt to keep their selection under wraps — and according to Gingrich's local spokesman **Allan Lipsett**, *Time* doesn't tell the honoree either.

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Speaker Gingrich will turn the tables on award-winning *Time* magazine photographer **P.F. Bentley** today at an appearance in east Cobb. Bentley will be autographing his new book, "Newt: Inside the Revolution." The photos are an inside look at the first 100 days of the 104th Congress and Rep. Gingrich's life in Washington and at home. Gingrich plans to join the media — camera in hand — in covering the event. The book-signing will be from 1 to 3 p.m. at Chapter 11 Bookstore at Highland Plaza, Shallowford Road at Sandy Plains Road.

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The game of musical chairs that's been played this year by Cobb's eight Superior Court judges and eight State Court judges appears headed for a screeching halt. The appointment of Juvenile Court Judge **Irma Glover** to the \$85,975 State Court seat of **Ken Nix** and of Marietta lawyer **Toby Prodders** as successor to the \$65,630 job of **Russell Carlisle** as a Traffic Court judge should stabilize the court for several years unless Superior Court Judge **Robert Flournoy**, 65, or State Court judge **Robert McDuff**, 64, decide to retire. The other judges are under 60 years of age.

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With accountant-lawyer **Steve Tumlin Jr.** telling Marietta friends he'll oppose Marietta Mayor **Ansley Meaders** in the 1997 municipal election, what about restaurateur and unsuccessful 1989 candidate **Bill Dunaway**, who skipped running against Meaders in 1993 for a possible mayoral bid in 1997? Said Dunaway Friday: "I haven't closed the door. I wouldn't enjoy making a race against either one. They're both my friends. My mental concentration will be better after the Olympics; then I'll decide."

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Quote of the week, by Atlanta Falcons minority owner and Marietta TV mogul **Tom Watson Brown** after the Falcons' debacle Sunday: "I don't know who was a bigger disaster on TV, the Falcons or President Clinton sending troops to Bosnia."

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Bumper-sticker spotted in Cobb: "Promina Northwest — Phriend or PHO?"

Compiled by Bill Kinney. Have an item? Call 428-9411 or FAX 422-9533.